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Intellectual Property Administration
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Fort Collins, CO 80527-2400

EXAMINER

TECKLU, ISAAC TUKU

ART UNIT	PAPER NUMBER
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2192

MAIL DATE	DELIVERY MODE
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09/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/611,558	Applicant(s) ZILAVY, DANIEL V.	
	Examiner ISAAC T. TECKLU	Art Unit 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on 02/28/2008.
2. Claims 1-66 have been reexamined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-66 are rejected under 35 U.S.C. 102(e) as being anticipated by Sprecher et al. (US 6,948,059 B1), hereinafter Sprecher.

Per claim 1 (Currently amended), Sprecher discloses in a computer system including a first field-programmable unit (FPU) of a first type, the first FPU including first field-programmable unite code (e.g. FIG. 4, and col.6:20-67, Available Resource Table 54 and related text), a computer-implemented method comprising steps of:

(A) determining whether the first FPU and first FPU code are compatible with a second FPU and second FPU code in the computer system, wherein the second FPU includes the second FPU code, and wherein the second FPU is of a second type that differs from the fist type; (e.g. FIG. 3, Software Resource 42 as the second type; Software Resource 42 is different from the first type as the new software component 44 and e.g. FIG. 5, step 52 – “Review available component table” – and related text, e.g. col.5: 25-35, 30-45 and col. 7: 5-12); and

(B) if the first FPU and first FPU code are determined not to be compatible with the second FPU and second FPU code, notifying a user of the computer system of the

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incompatibility (e.g. FIG. 5, steps 72 and 92 – “Search” and “Update available component table” – and related text col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...” see also col.7:20-68, block 66 Hit? No, block 72 Search,... block 84 Compatible? No... Done and related text).

Per claim 2, Sprecher discloses the method of claim 1, wherein the computer system further comprises a plurality of field-programmable units including a corresponding plurality of FPU codes (e.g. FIG. 5 and related text), and wherein the step (A) comprises a step of:

(A) (1) determining whether the first FPU code is compatible with the plurality of FPU codes (e.g. FIG. 5, steps 80-86 and col.7:20-67, block 66 Hit? NO, block 72 Search, block 84 Compatible? NO, block 76 Done? NO, block 72 continue Search and related text).

Per claim 3, Sprecher discloses the method of claim 2, wherein the computer system further comprises a plurality of field-replaceable units, and wherein the step (A) further comprises a step of:

(A) (2) determining whether the first FPU code is compatible with the plurality of field-replaceable units (e.g. FIG. 5, step 84 and related text).

Per claim 4, Sprecher discloses the method of claim 2, wherein the computer system further comprises a revision compatibility descriptor identifying a plurality of compatible combinations of field-programmable unit codes (e.g. FIG. 3 and related text), and wherein the step (A)(1) comprises a step of determining that the first FPU code is compatible with the plurality of FPU codes if a combination of the first FPU code (e.g. FIG. 5, steps 80-86 and related text) and the plurality of FPU codes is among the plurality of compatible combinations of field-programmable unit codes identified by the revision compatibility descriptor (col. 5:19-31 “... component ... resource...”).

Per claim 5, Sprecher discloses the method of claim 2, wherein the computer system further comprises a plurality of field-replaceable units and a revision compatibility descriptor identifying a plurality of compatible combinations of field-programmable unit codes and field-

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replaceable units (e.g. FIG. 3 and related text), and wherein the step (A) comprises a step of determining that the first FPU code is compatible with the computer system if a combination of the first FPU code, the plurality of FPU codes (e.g. FIG. 5, steps 80-86 and related text), and the plurality of field-replaceable units is among the plurality of combination combinations of field-programmable unit codes and field-replaceable units identified by the revision compatibility descriptor (e.g. FIG. 2, items 46 and 48 –“resource list” and “compatibility list” and col. 5:19-31 “... component ... resource...”).

Per claim 6, Sprecher discloses the method of claim 1, wherein the first field-programmable unit comprises a field-replaceable unit (e.g. FIG. 2, items 46 and 48 –“resource list” and “compatibility list” and col. 5:19-31 “... component ... resource...”).

Per claim 7, Sprecher discloses the method of claim 1, wherein the step (A) is performed in response to installation of the first field-programmable unit in the computer system (e.g. FIG. 5, step 70 – “load application” – and related text, and col. 7:13-18 and col. 8:39-44).

Per claim 8 (currently amended), Sprecher discloses the method of claim 1, wherein the step (B) comprises a step of:

(B) (1) providing the user with information descriptive of third FPU code that is suitable for storage in the first field-programmable unit and that is compatible with the second FPU code (col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...”).

Per claim 9 (currently amended), Sprecher discloses the method of claim 8, wherein the step (A) is performed in response to replacement of a third field-programmable unit with the first field-programmable unit, and wherein the third field-programmable unit includes the third FPU code (col. 3:33-38 “... replacement of resources and upgrading of those resources ...”).

Per claim 10, Sprecher discloses the method of claim 8, and wherein the step (B)(1) comprises steps of:

(B) (1) (a) identifying a compatible combination of field-programmable unit codes previously installed in the computer system (e.g. FIG. 5, step 52 – “Review available component table” – and related text, e.g. col. 7: 5-12);

(B) (1) (b) identifying, in the identified combination of previously-installed field-programmable unit codes, an identifier of FPU code suitable for installation in the first field-programmable unit (col. 3:33-38 “... previously installed ...”); and

(B) (1) (c) providing the user with information descriptive of the FPU code identified by the identifier (col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...”).

Per claim 11, Sprecher discloses the method of claim 8, wherein the computer system further comprises a plurality of FPUs including a corresponding plurality of FPU codes, and a revision compatibility descriptor identifying a plurality of combinations of compatible field-programmable unit codes, and wherein the step (B)(1) comprises steps of:

(B) (1) (a) identifying, in the revision compatibility descriptor, a record describing the plurality of FPU codes (e.g. FIG. 5, step 52 – “Review available component table” – and related text, e.g. col. 7: 5-12);

(B) (1) (b) identifying, in the identified record, a code identifier identifying FPU code suitable for use in the first field-programmable unit (e.g. FIG. 3, element 37-42 and related text); and

(B) (1) (c) providing the user with information descriptive of the FPU code identified by the code identifier (col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...”).

Per claim 12 (currently amended), this is the apparatus version of the claimed method discussed above (Claim 1), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

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Per claim 13, this is the apparatus version of the claimed method discussed above (Claim 2), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 14, this is the apparatus version of the claimed method discussed above (Claim 3), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 15, this is the apparatus version of the claimed method discussed above (Claim 4), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 16, this is the apparatus version of the claimed method discussed above (Claim 5), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 17, this is the apparatus version of the claimed method discussed above (Claim 7), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 18, this is the storage version of the claimed method discussed above (Claim 1), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 19, this is the storage version of the claimed method discussed above (Claim 2), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 20, this is the storage version of the claimed method discussed above (Claim 3), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 21, this is the storage version of the claimed method discussed above (Claim 4), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 22, this is the storage version of the claimed method discussed above (Claim 5), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 23, this is the storage version of the claimed method discussed above (Claim 6), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 24, this is another system version of the claimed method discussed above (Claim 1), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 25, this is another system version of the claimed method discussed above (Claim 2), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 26, this is another system version of the claimed method discussed above (Claim 3), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 27, this is another system version of the claimed method discussed above (Claim 4), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 28, this is another system version of the claimed method discussed above (Claim 5), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 29, this is another system version of the claimed method discussed above (Claim 6), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 30, Sprecher discloses in a computer system including a first field-programmable unit including first FPU code and a second field-programmable unit including second FPU code, a computer-implemented method comprising steps of:

(A) after replacement of the second field-programmable unit by the first field-programmable unit, determining whether the first FPU code is different from the second FPU code (col. 3:38-50 "... upward compatibility between different version numbers ..." col.6:55-67 "... each of the attributes 56 through 62 is derivable directly from the software resources 42 and their compatibility list 48..." and e.g. FIG. 2, item 86 and related text); and

(B) notifying a user of the computer system that the first field-programmable unit is incompatible with the computer system if it is determined that the first FPU code is different from the second FPU code (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 31, Sprecher discloses the method of claim 30, wherein the first field-programmable unit comprises a field-replaceable unit (e.g. FIG. 3 and related text).

Per claim 32, Sprecher discloses the method of claim 30, wherein the step (B) comprises a step of:

(B) (1) providing the user with information descriptive of third FPU code that is suitable for storage in the first field-programmable unit and that is compatible with the computer system (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 33, Sprecher discloses the method of claim 32, wherein the third FPU code comprises the second FPU code (e.g. FIG. 3 and related text).

Per claim 34, Sprecher discloses the method of claim 32, wherein the step (B)(1) comprises steps of:

(B) (1) (a) identifying a combination of compatible field-programmable unit codes previously installed in the computer system (e.g. FIG. 5, step 52 – “Review available component table” – and related text, e.g. col. 7: 5-12);

(B) (1) (b) identifying, in the identified combination of previously-installed field-programmable unit codes, an identifier of the second FPU code (col. 3:33-38 “... previously installed ...”); and

(B) (1) (c) providing the user with information descriptive of the second FPU code (col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...”).

Per claim 35, this is another system version of the claimed method discussed above (Claim 30), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 36, this is another system version of the claimed method discussed above (Claim 31), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 37 (currently amended), this is another system version of the claimed method discussed above (Claim 33), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

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Per claim 38, this is another system version of the claimed method discussed above (Claim 34), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 39, Sprecher discloses a storage medium readable by a computer in a computer system including a first field-programmable unit (FPU) and a second FPU, the first FPU including first FPU code, the second FPU including second FPU code, the storage medium tangibly embodying program instructions executable by the computer to perform method steps of:

(A) after replacement of the second FPU by the first FPU, determining whether the first FPU code is different from the second FPU code (col. 3:38-50 "... upward compatibility between different version numbers ..."); and

(B) notifying a user of the computer system that the first FPU is incompatible with the computer system if it is determined that the first FPU code is different from the second FPU code (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 40, Sprecher discloses the storage medium of claim 39, wherein the first FPU comprises a field-replaceable unit (e.g. FIG. 3 and related text).

Per claim 41, Sprecher discloses the storage medium of claim 39, wherein the step (B) comprises a step of:

(B) (1) providing the user with information descriptive of third FPU code that is suitable for storage in the first FPU and that is compatible with the computer system (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 42, this is system version of the claimed storage discussed above (Claim 39), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 43, this is system version of the claimed storage discussed above (Claim 40), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 44, this is system version of the claimed storage discussed above (Claim 41), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 45 (currently amended), Sprecher discloses in a computer system including a first field-programmable unit (FPU) of a first type, the first FPU including first FPU code (e.g. FIG. 10B and related text), a computer-implemented method comprising steps of:

(A) determining whether the first FPU and first FPU code are compatible with a second FPU and second FPU code in the computer system, wherein the second FPU includes the second FPU code, and wherein the second FPU is of a second type that differs from the first type; (e.g. FIG. 3, Software Resource 42 as the second type; Software Resource 42 is different from the first type as the new software component 44 and e.g. FIG. 5, step 52 – “Review available component table” – and related text, e.g. col.5: 25-35, 30-45 and col. 7: 5-12);

(B) if the first FPU and first FPU code are determined not to be compatible with the second FPU and second FPU code, identifying third FPU code that is compatible with the and suitable for installation in the first field-programmable unit (e.g. FIG. 5, steps 72 and 92 – “Search” and “Update available component table” – and related text col. 7:40-50 “... user is given information as to the type, identifier and version number of the desired ...” see also col.7:20-68, block 66 Hit? No, block 72 Search,... block 84 Compatible? No... Done and related text); and

(C) installing the third FPU code in the first field-programmable unit (col. 3:33-38 “... previously installed ...”).

Per claim 46, Sprecher discloses the method of claim 45, wherein the computer system further comprises a plurality of field-programmable units including a corresponding plurality of FPU codes, and wherein the step (A) comprises a step of:

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(A) (1) determining whether the first FPU code is compatible with the plurality of FPU codes (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 47, Sprecher discloses the method of claim 46, wherein the computer system further comprises a plurality of field-replaceable units, and wherein the step (A) further comprises a step of:

(A) (2) determining whether the first FPU code is compatible with the plurality of field-replaceable units (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 48, Sprecher discloses the method of claim 46, wherein the computer system further comprises a revision compatibility descriptor identifying a plurality of compatible combinations of field-programmable unit codes (e.g. FIG. 5 and related text), and wherein the step (A)(1) comprises a step of determining that the first FPU code is compatible with the plurality of FPU codes if a combination of the first FPU code (col. 49: 25-30 "... determined whether the new hard drive is compatible ...") and the plurality of FPU codes is among the plurality of compatible combinations of field-programmable unit codes identified by the revision compatibility descriptor (e.g. FIG. 3 and related text).

wherein the computer system further comprises a plurality of field-replaceable units and a revision compatibility descriptor identifying a plurality of compatible combinations of field-programmable unit codes and field-replaceable units (e.g. FIG. 3 and related text), and wherein the step (A) comprises a step of determining that the first FPU code is compatible with the computer system if a combination of the first FPU code, the plurality of FPU codes (e.g. FIG. 5 and related text), and the plurality of field-replaceable units is among the plurality of combination combinations of field-programmable unit codes and field-replaceable units identified by the revision compatibility descriptor (col. 7:40-50 "... user is given information as to the type, identifier and version number of the desired ...").

Per claim 50, Sprecher discloses the method of claim 45, wherein the first field-programmable unit comprises a field-replaceable unit (e.g. FIG. 3 and related text).

Per claim 51, Sprecher discloses the method of claim 45, wherein the step (A) is performed in response to installation of the first field-programmable unit in the computer system (e.g. FIG. 5, 92 and related text).

Per claim 52, this is the apparatus version of the claimed method discussed above (Claim 45), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 53, this is the apparatus version of the claimed method discussed above (Claim 46), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 54, this is the apparatus version of the claimed method discussed above (Claim 47), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 55, this is the apparatus version of the claimed method discussed above (Claim 48), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 56, this is the apparatus version of the claimed method discussed above (Claim 49), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 57, this is the storage version of the claimed method discussed above (Claim 45), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 58, this is the storage version of the claimed method discussed above (Claim 46), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 59, this is the storage version of the claimed method discussed above (Claim 47), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 60, this is the storage version of the claimed method discussed above (Claim 48), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 61, this is the storage version of the claimed method discussed above (Claim 49), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 62, this is the computer system version of the claimed method discussed above (Claim 45), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 63, this is the computer system version of the claimed method discussed above (Claim 46), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 64, this is the computer system version of the claimed method discussed above (Claim 47), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 65, this is the computer system version of the claimed method discussed above (Claim 48), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Per claim 66, this is the computer system version of the claimed method discussed above (Claim 49), wherein all claim limitations have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also anticipated by Sprecher.

Response to Arguments

5. Applicant's arguments filed 07/01/2008 have been fully considered but they are not persuasive.

Applicant asserted, "Applicant traverses this rejection and requests that it be withdrawn in light of the claim amendments made" (page 35-37).

It appears Applicant has failed to appreciate the "teachings" of Sprecher and all that is inherent therein. Applicant repeatedly argues that Sprecher does not disclose determining whether components whether hardware or software, of different types are compatible with each other. The examiner disagrees and indicates relevant citation associated to the above argument (see above). Furthermore, Sprecher clearly teaches new Software Component 44 of FIG. 3 as the first type to be added to the industrial control system 11 of FIG. 3 is different from a required Software Resource 42 of FIG. 3 as the second type (see at least col.5:25-45). Accordingly, per the plain language of the claims, Sprecher indeed teaches all claimed limitations.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAC T. TECKLU whose telephone number is (571)272-7957. The examiner can normally be reached on M-TH 9:300A - 8:00P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Isaac T Tecklu/
Examiner, Art Unit 2192

/Tuan Q. Dam/
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